

EXHIBIT 3

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA

Richard Russell, Sherri Bristow, Jason Anthony,
Jim Laos, Regina Bedell, and Jeremiah Dowd,
individually and on behalf of others similarly situated,

Plaintiffs,

vs.

ProMove LLC and Todd White,

Court File No.: 1:06-cv-00659-RWS

Defendants.

NOTICE OF PENDENCY OF LAWSUIT

TO: ALL CURRENT AND FORMER PROPERTY SPECIALISTS AND SENIOR PROPERTY SPECIALISTS WHO WORKED FOR PROMOVE FROM DATE XX, 2003 [3 YEARS PRIOR TO THE MAILING DATE] TO THE PRESENT

RE: FAIR LABOR STANDARDS ACT OVERTIME AND MINIMUM WAGE LAWSUIT FILED AGAINST PROMOVE LLC AND TODD WHITE

INTRODUCTION

The purpose of this Notice is to inform you of a collective action lawsuit in which you are potentially "similarly situated" to the named Plaintiffs, to advise you of how your rights may be affected by this action, and to instruct you on the procedure to make a claim if you choose to do so.

DESCRIPTION OF THE ACTION

In March 2006, an action was filed against Defendants Promove LLC and Todd White ("collectively referred to as ProMove") on behalf of the named Plaintiffs and all other similarly situated individuals who worked as property or senior property specialists during the past three years. Specifically, the action alleges that these individuals are owed overtime pay and/or minimum wages under the Federal Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 201 et seq.

ProMove denies that it has violated the FLSA, or that any overtime pay or minimum wages are owed, and is defending against all claims that have been asserted.

COMPOSITION OF THE POTENTIALLY SIMILARLY SITUATED GROUP

The named Plaintiffs were employed by ProMove as property specialists or senior property specialists. They seek to sue on behalf of themselves and other employees with whom they are similarly situated. Specifically, they seek to sue on behalf of any and all individuals who meet the following requirements:

- (a) have been employed by ProMove as a property specialist or senior property specialist at any time from DATE XX, 2003 to the present; and
- (b) were denied overtime compensation for hours worked over 40 per week; and/or
- (c) were denied the federal minimum wage of \$5.15 per hour for some weeks worked.

YOUR RIGHT TO PARTICIPATE IN THIS ACTION

If you fit the definition above, you may choose to join this action by mailing or faxing the attached Consent Form to Plaintiffs' attorneys:

Nichols Kaster & Anderson, PLLP
Attn. Michele Fisher
4600 IDS Center, 80 South 8th Street
Minneapolis, MN 55402
Facsimile: (612) 215-6870

The Consent Form must be received by Nichols Kaster & Anderson, PLLP, on or before **DATE XX, 2006 (60 days after mailing)** for you to participate in this case.

EFFECT OF JOINING OR NOT JOINING THIS ACTION

If you join this action, you and ProMove will be bound by any ruling, judgment, award, or settlement, whether favorable or unfavorable. If you choose not to join this action, you are free to take action on your own or to do nothing at all.

If you file a Consent Form, your continued right to participate in this action will depend upon a later decision by the Court that you and the named Plaintiffs are "similarly situated" in accordance with applicable laws and that it is appropriate for this case to proceed as a collective action.

STATUTE OF LIMITATIONS

The FLSA has a two to three year statute of limitations, depending upon later decisions by the Court. If you choose to join this action, you may be able to recover damages only for hours worked within two or possibly three years of the date your Consent Form is filed. If you choose not to join in this action or file your own action, some or all of your potential claims may later be barred by the applicable statute of limitations.

NO RETALIATION PERMITTED

The law prohibits retaliation against employees for exercising their rights under the FLSA. Therefore, ProMove is prohibited from discharging you or retaliating against you in any other manner because you choose to participate in this action.

YOUR LEGAL REPRESENTATION IF YOU JOIN

If you choose to join this case by filing a Consent Form, your interests will be represented by Nichols Kaster & Anderson, PLLP:

Donald H. Nichols, Paul J. Lukas, and Michele R. Fisher
4600 IDS Center, 80 South 8th Street
Minneapolis, MN 55402
Toll Free Telephone: (877) 448-0492
Facsimile: (612) 215-6870
Website: www.overtimecases.com

Plaintiffs' Counsel have taken this case on a contingency basis. They may be entitled to receive attorneys' fees and costs from ProMove should there be a recovery or judgment in Plaintiffs' favor. If there is a recovery, Plaintiffs' Counsel will receive a part of any settlement obtained or money judgment entered in favor of all members of the class. If there is no recovery or judgment in Plaintiffs' favor, Plaintiffs' Counsel will not seek any attorneys' fees or costs from any of the Plaintiffs. The specific terms and conditions will be contained in a fee agreement separately entered into by Plaintiffs' Counsel and you if you decide to participate in this case.

THIS NOTICE AND ITS CONTENT HAVE BEEN AUTHORIZED BY THE U.S. DISTRICT COURT, NORTHERN DISTRICT OF GEORGIA, HONORABLE JUDGE RICHARD W. STORY.

**PROMOVE , LLC AND TODD WHITE
PLAINTIFF CONSENT FORM**

I hereby consent to join the lawsuit against ProMove, LLC and Todd White as a Plaintiff to assert claims against it for minimum wage and/or overtime violations of the Fair Labor Standards Act, 29 U.S.C. § 201 et seq. During the past three years, there were occasions when I worked over 40 hours per week for ProMove, LLC as a Property Specialist or Senior Property Specialist.

**FIRST LAST
STREET
CITY, STATE ZIP**

If any of the above information has changed, please update

Signature

Date

Best Phone Numbers

E-Mail Address

Social Security Number (last 4 digits)

Emergency Contact (in case we lose contact with you)

**Mail or Fax to: Fax (612) 215-6870
Nichols Kaster Anderson PLLP (Attn: Michele Fisher)
80 South 8th Street, Suite 4600, Minneapolis, MN 55402
Toll Free Telephone: (877) 448-0492**